

**BOARD OF SELECTMEN
TOWN OF FOXBOROUGH
40 SOUTH STREET
FOXBOROUGH, MASSACHUSETTS 02035
Telephone 508-543-1200**

**ONE DAY ALL ALCOHOLIC LIQUOR LICENSE APPLICATION
MGL Chap. 138, Sec. 14
NON-PROFIT ONLY - To be drunk on the premises**

Please make check payable to Town of Foxborough and return completed application and fee to the Foxborough Selectmen's Office.

This is NOT an Application for a Public Entertainment or Sunday License

Fee: \$100 (each day)

Date(s) of Event _____

Is this day a Sunday or Holiday? _____ Yes _____ No

1. Full NAME, ADDRESS and PHONE NUMBER(S) of the organization making this application.

2. Nature of Event: _____

3. Is the applicant a non-profit organization duly registered with the Secretary of State?
 _____ Yes _____ No

4. NAME, ADDRESS and PHONE NUMBER(S) of manager who shall be responsible for the license:

5. Location where event shall be held: _____

6. Has the approval of the property owner been obtained?
_____ Yes _____ No
7. Exact times of the license:
From _____ a.m./p.m.
To _____ a.m./p.m.
8. Has the applicant been issued similar licenses in Foxborough in the past? If so, when?

9. Has a Sunday Entertainment License been applied for?
_____ Yes _____ No
10. Who is the wholesaler from which you will be receiving your beer and wine?
YOU MUST RETURN A COPY OF YOUR RECEIPT BY THE FIRST MONDAY FOLLOWING THE EVENT.

11. Where will you be storing your inventory?

12. What day will you be receiving your inventory? **YOU MUST HAVE A PERMIT FOR EACH DAY YOU ARE IN POSSESSION OF THE ALCOHOL.**

The applicant hereby indicates that he/she is aware of and shall comply with all applicable statutes, by-laws and regulations.

_____ Authorized Representative
_____ Title
_____ Date
_____ FID or Tax Exempt Number

I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes required under law.

Your social security number will be furnished to the MA Dept. of Revenue to determine whether you have met tax filing or tax payment obligations. Licensees who fail to correct their non-filing or delinquency will be subject to license suspension or revocation. This request is made under the authority of M.G.L. c. 62C s. 49A

PLEASE ATTACH A COVER LETTER TO THIS APPLICATION
DESCRIBING IN DETAIL THIS EVENT.

**BOARD OF SELECTMEN
TOWN OF FOXBOROUGH
40 SOUTH STREET
FOXBOROUGH, MASSACHUSETTS 02035
Telephone 508-543-1200**

**ONE DAY WINE AND MALT BEVERAGES LICENSE APPLICATION
MGL Chap. 138, Sec. 14
To be drunk on the premises**

Please make check payable to Town of Foxborough and return completed application and fee to the Foxborough Selectmen's Office.

This is NOT an Application for a Public Entertainment or Sunday License

Fee: \$50 (each day)

Date(s) of Event _____

Is this day a Sunday or Holiday? _____ Yes _____ No

2. Full NAME, ADDRESS and PHONE NUMBER(S) of the organization making this application.

2. Nature of Event: _____

3. Is the applicant a non-profit organization duly registered with the Secretary of State?
 _____ Yes _____ No

4. NAME, ADDRESS and PHONE NUMBER(S) of manager who shall be responsible for the license:

6. Location where event shall be held: _____

6. Has the approval of the property owner been obtained?
_____ Yes _____ No
7. Exact times of the license:
From _____ a.m./p.m.
To _____ a.m./p.m.
8. Has the applicant been issued similar licenses in Foxborough in the past? If so, when?

9. Has a Sunday Entertainment License been applied for?
_____ Yes _____ No
10. Who is the wholesaler from which you will be receiving your beer and wine?
YOU MUST RETURN A COPY OF YOUR RECEIPT BY THE FIRST MONDAY FOLLOWING THE EVENT.

11. Where will you be storing your inventory?

12. What day will you be receiving your inventory? **YOU MUST HAVE A PERMIT FOR EACH DAY YOU ARE IN POSSESSION OF THE ALCOHOL.**

The applicant hereby indicates that he/she is aware of and shall comply with all applicable statutes, by-laws and regulations.

_____ Authorized Representative
_____ Title
_____ Date
_____ FID or Tax Exempt Number

I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes required under law.

Your social security number will be furnished to the MA Dept. of Revenue to determine whether you have met tax filing or tax payment obligations. Licensees who fail to correct their non-filing or delinquency will be subject to license suspension or revocation. This request is made under the authority of M.G.L. c. 62C s. 49A

PLEASE ATTACH A COVER LETTER TO THIS APPLICATION
DESCRIBING IN DETAIL THIS EVENT.

RULES AND REGULATIONS FOR HOLDERS
OF ALCOHOLIC BEVERAGE LICENSES IN THE
TOWN OF FOXBOROUGH

1. The Board of Selectmen of the Town of Foxborough, sitting as the Licensing Authority in and for the Town, has sole responsibility, in the first instance, for the issuance of all alcoholic beverage licenses within the Town. No license can be issued, surrendered, transferred, sold, or amended without the specific, prior approval of the Authority.
2. No licensee shall dispense or sell alcoholic beverages to any person under 21 years of age.
3. No person shall store or sell any alcoholic beverage at any location or in any part of the premises at a given location not specified in the description of premises stated on the license.
4. The license to sell or store as well as a copy of these Rules and Regulations must be posted in a conspicuous location, clearly visible and accessible to the public, upon the licensed premises.
5. No physical alteration, the effect of which would be to constitute a change in the description of the licensed premises as shown on the license, shall be made without the prior written approval of the Authority.
6. The license premises shall be subject to inspection at any time by the Police Department of the Town of Foxborough, by the Licensing Authority, by the Alcoholic Beverage Control Commission, or by the duly authorized agent(s) of any of them.
7. The kitchen and premises of any licensed establishment must be kept clean, neat and sanitary, to the satisfaction of the Licensing Authority and the Board of Health of the Town of Foxborough, or to the duly authorized agent(s) of either of them.
8. No licensee shall permit any disorder, disturbance, lewdness, or illegality of any kind to take place in, upon, or around the licensed premises (including the parking lot). The licensee shall be responsible for such conduct, whether present or not.
9. With the exception of establishments licensed, as package stores, no licensee shall sell any alcoholic beverage intended for off-premises consumption with the exception of establishments licensed as package stores, no licensee shall

allow the sale of alcoholic beverages in containers designed to be carried from the licensed premises. (Massachusetts Law allows purchased wine bottles from Restaurants to be capped and brought home.)

10. Each corporate licensee shall appoint a manager who shall have complete and unqualified authority and control over the licensed premises, whether he or she may be present upon said premises at any given moment in time. Such manager shall be duly appointed and authorized by legally established corporate vote or permission of the owner, and must be acceptable to the Licensing Authority, who shall have power of approval over same. Any individual, appointed manager of an establishment by the owner/corporation and approved by the Licensing Authority must be a citizen of the United States and must take an active role in the management of the subject establishment. **NO ABSENTEE MANAGERS WILL BE ALLOWED.**
11. No licensee shall allow the sale of alcoholic beverages to an intoxicated person.
12. The licensee shall, in all cases, be responsible for acquiring all permits, licenses, or certifications necessary to the conduct of his business; the licensee, moreover, shall be responsible for prompt notification to the Licensing Authority of any projected change or amendment needed or contemplated for licenses and permits previously issued.
13. The licensee shall be responsible for the enforcement of all Rules and Regulations of the Licensing Authority, all Rules and Regulations of the Alcoholic Beverages Control Commission, and all Massachusetts General Laws pertaining to the operation of an establishment possessing an alcoholic beverage license.
14. The Chief of Police shall have the right and authority to order any licensee to engage as many detail police officers from the Foxborough Police Department as shall, in the Chief's judgment, be necessary to maintain law and order upon the premises of the licensee (including the parking lot).
 - A. License Holders shall notify the Chief of Police of any special events or circumstances whereby the licensee may reasonably anticipate hosting either; i) a single gathering of more than 400 patrons at one time, or ii) multiple gatherings collectively amounting to more than 750 patrons simultaneously, when said event occurs after 6PM on a weeknight or 4PM on a weekend or holiday, or after a major stadium

event, within those areas of the licensee's premises where alcohol is to be served.

The purpose of this notification requirement is to provide advance information, to the extent possible, to the Chief about expected large groups where alcohol is to be served within the premises, so that an evaluation of the event(s) can be made as to the need of a police detail assignment, taking into account various relevant factors, and if not needed, to notify Police Shift Commanders as may be necessary, of the occurrence of such likely event.

As may be practicable and reasonably foreseeable, the Licensee shall provide advance notice to the Chief of such event or circumstances, in order to evaluate the necessity of police supervision. The grant of a license to the Licensee of such an event by the Board of Selectmen shall be deemed notice of such event(s).

Following any such notice, the Chief's evaluation may include a review of security practices with the Licensee, including requesting of the Licensee the assignment of any police detail within the licensed premises for such and event and/or circumstances. If the Licensee disagrees with any such request, the Licensee and Chief of Police shall meet prior to the event to discuss/review appropriate security procedures. Should the Chief assign a police detail under the provisions of Section 14 of these regulations, and the Licensee disagrees, the Licensee may appear before the Board of Selectmen, the License granting Authority, who shall review and establish appropriate public safety measures for such events. Nothing in these liquor regulations shall supersede conditions imposed by the Board of Selectmen as part of conditions for a Liquor License.

15. No licensee shall make any distinction, discrimination, or restriction of service, access, or treatment on account of race, color, religious creed, national origin, sex, or ancestry.
16. Any licensee shall, upon request of the Licensing authority, provide a current list of the names and residential addresses of all employees working upon the licensed premises.
17. "Last Call" shall be given a minimum of 20 minutes prior to the established closing hour of licensed establishment; all bottles, glasses, etc., shall be cleared from all tables and bar within 5 minutes of the established closing

hour, and all patrons will be off the licensed premises within 15 minutes of the established closing hour. Bona fide employees of the licensed establishment may remain upon or enter upon the licensed premises, outside of the regular hours of operation while actually engaged in cleaning, opening, closing, or preparing for the next day's business, but they may not dispense or consume any alcoholic beverage during such non-public hours; nor may they remain upon the premises any longer than necessary to complete their work.

18. In any instance wherein a licensee will have employees working on the premises in excess of sixty (60) minutes after the established closing hour of the licensed establishment, the licensee shall cause notification of that fact to be given by telephone to the Foxborough Police Department along with an estimate as to how long the work party will be on the premises.
19. An individual licensee or principal representative of the licensee, the manager of record and any person who regularly serves alcoholic beverages to the public are required to successfully complete an alcohol management or server training course approved by the Licensing Authority, within three (3) months after beginning in their respective positions or within six (6) months after the adoption of this regulation, whichever is later. Each such person must be successfully retrained when the certification period ends. The licensee shall, with each annual renewal application and at any time upon request of the Licensing Authority, provide the Licensing Authority with the names, addresses, dates of hire and copies of training certificates of all persons subject to this section. Provided, however, that this section shall apply only to a license for the service of alcoholic beverages to be consumed on the premises.
20. The Licensing Authority reserves the right to modify or amend the above Rules and Regulations, or to adopt such other, additional Rules and Regulations as the said Authority may deem necessary.
21. As of May 1st, 2011, no person may sell or serve **or offer at the premises with respect to** alcoholic beverages that has not been trained on Responsible Beverage Service (TIPS, TEAM, SAFE SERVICE **or other Foxborough Police Chief approved programs**). No Licensee shall hire a person after that date that does not have a certificate of Training, and all Staff will be re-certified every other year. The Manager shall maintain a roster of employees and copies of said certifications readily available for inspection.

Sanctions for Violations - Under consideration by Board of Selectmen

If the Board of Selectmen, after a hearing conducted pursuant to M.G.L. c. 138, §64, determines that the holder of a license to sell alcoholic beverages has violated or permitted a violation of any condition of the license or any law of the Commonwealth of Massachusetts, the Board may modify, suspend, revoke or cancel such license. In carrying out its responsibility, the Board may consider the following Guidelines:

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|-----------------------------|---|
| 1 st Violation - | Letter of reprimand and/or suspension of license up to 3 days or both |
| 2 nd Violation - | Suspension of license from 1 to 15 days |
| 3 rd Violation - | Suspension of license from 1 to 30 days, or revocation of the license |
| 4 th Violation - | Revocation of license |

In applying these Guidelines, the Board shall take into account all violations committed by the licensee in the Town of Foxborough within the past three-year period from the date that the current violation occurred. Exceptions may be made for a blatant violation of rules.